

CHARGE: 402(a)(3)—contained insects, insect larvae, and insect parts; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 12-9-64. Default—destruction.

DAIRY PRODUCTS

BUTTER

30036. Butter. (F.D.C. No. 50192. S. Nos. 69-559 A, 70-653 A.)

QUANTITY: 45 64-lb. boxes at Chicago, Ill.

SHIPPED: 9-9-64, from Dickinson, N. Dak., by Western Creamery Association.

LABEL IN PART: (Box) "Creamery Butter Distributed by H. C. Christians Co. Chicago, Illinois."

LIBELED: 9-16-64, N. Dist. Ill.

CHARGE: 402(b)(2)—a product containing less than 80 percent by weight of milk fat had been substituted for butter when shipped.

DISPOSITION: 11-4-64. Consent—claimed by H. C. Christians Co., Chicago, Ill., and reworked.

MISCELLANEOUS DAIRY PRODUCT

30037. Nonfat dry milk and cornmeal. (F.D.C. No. 50477. S. Nos. 56-923/5 A.)

INFORMATION FILED: 9-28-64, Dist. Kans., against Associated Wholesale Grocers, Inc., Kansas City, Kans., Louis Fox, general manager, and W. John Russell, superintendent.

ALLEGED VIOLATION: Between 6-13-63 and 1-13-64, while quantities of nonfat dry milk (count 1), yellow cornmeal (count 2), and white cornmeal (count 3) were being held for sale after shipment in interstate commerce, the articles were caused to be held in a building that was infested by insects and to be exposed to contamination by insects, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained insects and insect larvae; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty by corporation to counts 1, 2 and 3, and by the individuals to count 1.

DISPOSITION: 2-5-65. Individuals fined \$25 each; corporation fined \$200, and costs.

EGGS

30038. Frozen eggs. (F.D.C. No. 50167. S. No. 8-036 V.)

INFORMATION FILED: 12-15-64, Dist. Mass., against Saul F. Fleishman, t/a Fleishman & Co., Roxbury (Boston), Mass.

SHIPPED: Between 4-17-63 and 4-27-63, from Roxbury (Boston), Mass., to Newport, R.I.

LABEL IN PART: (Cans) "Whole Eggs Fleishman & Co. 165 Terrace St., Boston, 20."

CHARGE: 402(a)(3)—when shipped, contained decomposed eggs.

PLEA: Guilty.

DISPOSITION: 4-26-65. \$500 fine.